IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

THURSDAY, THE 14TH DECEMBER 2006 / 23RD AGRAHAYANA 1928

WP(C).No. 32609 of 2006(F)

PETITIONER:

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1. GOPINATHAN PILLAI.G., AGRICULTURAL ASSISTANT GRADE-I, KRISHIBHAVAN, ERATHU, ADOOR, PATHANAMTHITTA DISTRICT.

2. THOMASKUTTY.I., AGRICULTURAL ASST. GR.I, KRISHIBHAVAN, PAZHAVANGADI, RANNI, PATHANAMTHITTA DISTRICT.

BY ADV. SRI.M.V.THAMBAN
SRI.V.K.SATHYANATHAN

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE SECRETARY TO THE GOVT., DEPARTMENT OF AGRICULTURE, GOVT. SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF AGRICULTURE, THIRUVANANTHAPURAM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 32609 OF 2006 F
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Dated this the 14th December, 2006

J U D G M E N T

Ext. P2 representation filed by the petitioners who are Agricultural Assistants Grade I and are Diploma holders is pending with the 1st respondent. The request made by the petitioners is that in the matter of promotion to the post of Junior Agricultural Officer, instead of granting promotions based on seniority without any distinction based on qualifications, a percentage of the posts shall be reserved for those who possess degree/diploma in Agriculture. According to the petitioners, such reservation of posts would be in the interest of the department with personnel having better efficiency and performance capacity in the field. It is also pointed out that as far identical posts are concerned in other departments, ratio has been introduced, by the statutory rules, among those who possess qualifications at different levels.

2. Heard both sides.

3. Essentially, the request made by the

petitioners is one involving the legislative policy of the Government. It is open to the Government to consider the suggestions made by the petitioners, and if it is felt that the acceptance of the suggestions would be in the interest of the department, appropriate modifications can be made. Therefore, there shall be a direction to the 1st respondent to consider Ext. P2, take appropriate decision and communicate the same to the petitioners within two months on the petitioners producing a copy of the judgment along with a copy of the writ petition.

The writ petition is disposed of as above.

K.K. DENESAN
JUDGE

jan/